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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 TRUSTEES OF THE TEAMSTERS LOCAL
8 631 FUND FOR SOUTHERN NEVADA, et
al.,

Case No. 2:11-cv-01764-LDG-PAL

ORDER

9 Plaintiffs,

(Mot Withdraw Atty – ECF No. 149)

10 v.

11 FRANCES LASLEY, et al.,

12 Defendants.

13 Before the court is counsel for Exhibit Design & Production's Amended Motion to
14 Withdraw as Attorney of Record (ECF No. 149). The supporting affidavit of counsel states the
15 client has not honored its payment obligations for professional services provided. Furthermore,
16 Exhibit Design & Production, through its Manager, Frank C. Lasley, has advised counsel that it
17 no longer desires its counsel of record to perform any more services. Counsel therefore seeks
18 leave to withdraw as counsel of record.

19 A review of the docket shows that discovery is closed in this matter. Trial has been
20 scheduled for November 14, 2016, with calendar call on November 8, 2016. Furthermore, a
21 settlement conference has been set before the undersigned on August 26, 2016. A corporation
22 cannot appear except through counsel. *See Rowland v. California Men's Colony*, 506 U.S. 194,
23 201-02 (1993); *United States v. High Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993).
24 As such, Exhibit Design & Production will be required to obtain new counsel. The Ninth Circuit
25 has held that default judgment is an appropriate sanction for a corporation's failure to retain
26 counsel for the duration of the litigation. *United States v. High Country Broadcasting*, 3 F.3d
27 1244, 1245 (9th Cir. 1993).
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1 Having reviewed and considered the matter,

2 **IT IS ORDERED** that:

- 3 1. The Amended Motion to Withdraw as Attorney of Record (ECF No. 148) is
4 **GRANTED.**
- 5 2. Defendant Exhibit Design & Production shall have until **August 12, 2016**, to retain
6 substitute counsel who shall make an appearance in accordance with the requirements
7 of the Local Rules of Practice.
- 8 3. Defendant Exhibit Design & Production's failure to timely comply with this order by
9 obtaining substitute counsel may result in a recommendation to the district judge for
10 default judgment against it.
- 11 4. The clerk of the court shall serve Defendant with a copy of this order at its last known
12 address:

13 Exhibit Design & Production
14 Attn: Frank C. Lasley, Manager
15 7510 American Way
Groveland FL 34736

16 DATED this 13th day of July, 2016.

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18 
19 PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE